IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7790 of 1999

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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INDIAN PETROCHEMICALS CORPO LTD. & 5 - Petitioner(s)

Versus

UNION OF INDIA & 2 - Respondent(s)

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Appearance :

GIRISH PATEL ASSOC for Petitioner(s) : 1,None for Petitioner(s) : None for Petitioner No(s).: for Petitioner(s) : 2 - 6.
MR MANISH K KAJI for Respondent(s) : 1,
MR JITENDRA MALKAN for Respondent(s) : 1,
MR PJ MALKAN for Respondent(s) : 1,
MR MITUL K SHELAT for Respondent(s) : 2,
MS PJ DAVAWALA for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 21/02/2006

ORAL JUDGMENT

1.By way of this petition under Article 226 of the Constitution of India, the petitioners have prayed for

an appropriate writ, direction or order to quash and set aside the decision of the Government to disinvest its 25% stake in IPCL in favour of a strategic buyer.

2. In view of the fact that this petition is of the year 1999 and that no interim relief granted by this Court and in the meantime, the disinvestment of IPCL has already taken place and now the Reliance Petro Investment Ltd., is in-charge of the IPCL and therefore, Shri Salin Mehta, learned advocate tried his best to get instructions from the petitioners whether they would like to pursue this matter or not however, Shri Mehta, has submitted that he has not been able to get any instructions from any of the petitioners. In view of the fact that during the pendency of the present Special Civil Application, the disinvestment of IPCL has already taken place since long and therefore, without going into the larger question and other submissions on merits, the present Special Civil Application is disposed of as having become infructuous. Otherwise, so far as many of the contentions are concerned, they are now covered by the decision of the Hon'ble Supreme Court in case of ***Balco Employees' Union (Regd.) V/s. Union of India And Others***

reported in (2002) 2 SCC Page-333.

3.Under the circumstances, the present Special Civil Application is disposed of. Rule is discharged. However, there will be no order as to costs.

(M.R.SHAH, J.)

kdc.